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Filing date: **08/12/2016**


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92063027
Party	Plaintiff Viniolio Exports and Imports, LLC
Correspondence Address	J SCOTT GERIEN DICKENSON PEATMAN & FOGARTY 1455 FIRST ST, STE 301 NAPA, CA 94559 UNITED STATES tmltg@dpf-law.com
Submission	Motion to Join/Substitute Party
Filer's Name	J. Scott Gerien
Filer's e-mail	tmltg@dpf-law.com
Signature	/J. Scott Gerien/
Date	08/12/2016
Attachments	Mtn to Substitute 92063027.pdf(630539 bytes )

Certificate of Electronic Filing

I hereby certify that this correspondence is being electronically filed with the Trademark Trial and Appeal Board through the ESTTA system located at <http://estta.uspto.gov>.

Dated: 8/12/16

By   
J. Scott Gerien

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE  
TRADEMARK TRIAL AND APPEAL BOARD

VINOLIO EXPORTS AND IMPORTS,  
LLC and REN ACQUISITIONS INC.,  
Successor in Interest to VINOLIO  
EXPORTS AND IMPORTS, LLC,

CANCELLATION NO. 92063027

MOTION TO SUBSTITUTE

Petitioners and Counterdefendants,

vs.

JUSTICE BEVERAGES LLC,

Registrant and Counterclaimant.

TO THE COMMISSIONER OF TRADEMARKS:

On January 22, 2016, this Cancellation action was filed on behalf of Vinolio Exports and Imports, LLC ("Vinolio") against Justice Beverages LLC ("JBL"). In the Petition to Cancel, Vinolio alleged ownership of Reg. No. 3,713,775 for the mark JUSTICE as a basis for Vinolio's standing to bring the cancellation action. JBL then counterclaimed for cancellation of Reg. No. 3,713,775. Subsequent to JBL's counterclaim for cancellation of Reg. No. 3,713,775, counsel for Vinolio learned that ownership of Reg. No. 3,713,775 had been assigned by Vinolio to Ren Acquisitions, Inc. ("RAI") prior to the filing of this cancellation action. A copy of the *nunc pro tunc* assignment of Reg. No. 3,713,775 with an effective date of July 1, 2015 is attached hereto. Such assignment was recorded with the USPTO on May 13, 2016 at Reel/Frame 5792/0455.

1 Pursuant to TBMP §512.01, Vinolio and RAI hereby move the Board to substitute RAI as  
2 Petitioner and Counterdefendant in this action in place of Vinolio. As the assignment of Reg. No.  
3 3,713,775 occurred prior to the commencement of this cancellation action and the counterclaim  
4 for cancellation of Reg. No. 3,713,775, substitution of RAI as Petitioner and Counterdefendant in  
5 place of Vinolio is the proper course of action. TBMP §512.01; *cf. Drive Trademark Holdings,*  
6 *LP v. Infofin*, 83 USPQ2d 1433, 1434 n. 1 (TTAB 2007).

7  
8 Dated: 8/12/16

Respectfully submitted,

DICKENSON, PEATMAN & FOGARTY

9  
10 By: 

J. Scott Gerien  
Christopher J. Passarelli  
Joy Durand

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12  
13 1455 First Street, Ste. 301  
14 Napa, California 94559  
Telephone: (707) 252-7122  
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15 Attorneys for VINOLIO EXPORTS AND  
16 IMPORTS, LLC and REN ACQUISITIONS INC.  
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**PROOF OF SERVICE**

I declare that I am over the age of 18 years, employed in the County of Sonoma, and not a party to the within action; my business address is 100 B Street, Suite 320, Santa Rosa, California 95401.

On August 12, 2016, I placed a copy of the following document(s):

- MOTION TO SUBSTITUTE

in a sealed envelope addressed as shown below and placing the envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

The persons served are as follows:

STEVE LORY  
2000 RIVERSIDE DRIVE  
LOS ANGELES, CA 90039

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed August 12, 2016, at Santa Rosa, California.



Elena Herrera  
Legal Secretary

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM384362

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	NUNC PRO TUNC ASSIGNMENT
<b>EFFECTIVE DATE:</b>	07/01/2015

## CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Vinolio Exports and Imports, LLC		07/01/2015	Limited Liability Company: DELAWARE

## RECEIVING PARTY DATA

<b>Name:</b>	Ren Acquisition, Inc.
<b>Street Address:</b>	851 Napa Valley Corporate Way, Suite 1
<b>City:</b>	Napa
<b>State/Country:</b>	CALIFORNIA
<b>Postal Code:</b>	94558
<b>Entity Type:</b>	Corporation: DELAWARE

## PROPERTY NUMBERS Total: 22

Property Type	Number	Word Mark
Registration Number:	3326534	BLIND JUSTICE
Registration Number:	3079100	BROKEN SPUR
Registration Number:	2787138	CAMPFIRE RED
Registration Number:	3331353	FRONTIER JUSTICE
Registration Number:	4006638	GUS RIVERS
Registration Number:	4194975	JAILBIRD
Registration Number:	3967652	JOHN GALT
Registration Number:	3941544	JURISPRUDENCE
Registration Number:	3713775	JUSTICE
Registration Number:	3423729	JUSTICE IS SERVED
Registration Number:	3076044	LONGRIDER
Registration Number:	4433465	MISTER BIANCO
Registration Number:	4744665	MISTER ROSSO
Registration Number:	3320290	POETIC JUSTICE
Registration Number:	2742635	PURSUIT
Registration Number:	3078916	RIDGE RUNNER
Registration Number:	3952482	ROAD AGENT
Registration Number:	3531760	STREAMSIDE

TRADEMARK

Property Type	Number	Word Mark
Registration Number:	3230161	TIN STAR
Registration Number:	4056808	VIGILANTE
Registration Number:	2891704	WAYPOINT
Registration Number:	3945294	WEATHERBY

**CORRESPONDENCE DATA**

Fax Number: 7072556876

*Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.*

Phone: 7072527122

Email: tmdept@dpf-law.com

Correspondent Name: J. Scott Gerien

Address Line 1: 1455 First Street, Suite 301

Address Line 4: Napa, CALIFORNIA 94559

ATTORNEY DOCKET NUMBER:	VINO002-003 5/13/16
NAME OF SUBMITTER:	J. Scott Gerien
SIGNATURE:	/J. Scott Gerien/
DATE SIGNED:	05/13/2016

Total Attachments: 1

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**NUNC PRO TUNC ASSIGNMENT  
OF UNITED STATES TRADEMARK REGISTRATION**

Whereas, **Vinolio Exports and Imports, LLC**, a Delaware limited liability company, with its principal place of business at 1040 Main Street, Suite 300, Napa, CA 94559 ("Assignor") owns the following marks in the United States which are registered in the U. S. Patent and Trademark Office:

TRADEMARK	U.S. Reg. No.	Registration Date
BLIND JUSTICE	3326534	Oct. 30, 2007
BROKEN SPUR	3079100	Apr. 11, 2006
CAMPFIRE RED	2787138	Nov. 25, 2003
FRONTIER JUSTICE	3331353	Nov. 6, 2007
GUS RIVERS	4006638	Aug. 2, 2011
JAILBIRD	4194975	Aug. 21, 2012
JOHN GALT	3967652	May 24, 2011
JURISPRUDENCE	3941544	Apr. 5, 2011
JUSTICE	3713775	Nov. 24, 2009
JUSTICE IS SERVED	3423729	May 6, 2008
LONGRIDER	3076044	Apr. 4, 2006
MISTER BIANCO	4433465	Nov. 12, 2013
MISTER ROSSO	4744665	May 26, 2015
POETIC JUSTICE	3320290	Oct. 23, 2007
PURSUIT	2742635	July 29, 2003
RIDGE RUNNER	3078915	Apr. 11, 2006
ROAD AGENT	3952482	Apr. 26, 2011
STREAMSIDE	3531760	Nov. 11, 2008
TIN STAR	3230161	Apr. 17, 2007
VIGILANTE	4056808	Nov. 15, 2011
WAYPOINT	2891704	Oct. 5, 2004
WEATHERBY	3945294	Apr. 12, 2011

Whereas, **Ren Acquisition, Inc.**, a Delaware corporation with its principal place of business of 851 Napa Valley Corporate Way, Suite No. 1, Napa, California 94558-7551 ("Assignee") is desirous of acquiring said U. S. marks and the U. S. registrations thereof;

Now, therefore, for good and valuable consideration, receipt of which is hereby acknowledged, said Assignor does hereby sell, assign, and transfer to Assignee, nunc pro tunc, effective July 1, 2015, all right, title and interest in and to the said marks in the U. S., together with the goodwill of the business symbolized by the marks in the U. S. and the above identified U. S. registrations thereof.

Vinolio Exports and Imports, LLC

Name:

*Michael DiNapoli*

Title:

*COO*